United States District Court

NORTHERN DISTRICT OF CALIFORNIA

Hao Xu

SUMMONS IN A CIVIL CASE

CASE NUMBER:

V.

Alberto Gonzales, United States Attorney General, United States Department of Justice:

Michael Chertoff, Secretary of the Department of Homeland Security; Emilio T. Gonzalez, Director of United States Citizenship and Immigration Service

IO: (Name and address of defendant)

Emilio T. Gonzalez Director U.S. Citizenship and Immigration Services 425 I Street, NW Washington, DC 20536-0003 03383

PVT

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Justin Fok (CSB# 242272) 2107 N. First St., Suite 300 San Jose, CA 95131 Tel: (408) 437-1788 Fax: (408) 437-9788

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

(BY) DEPUTY CHERK

DATE 6/27/1

Case 5:07-cv-03383-PVT Document 4 Filed 07/05/2007

United States District Court



Hao Xu

SUMMONS IN A CIVIL CASE

CASE NUMBER:

Alberto Gonzales, United States Attorney General, United States Department

Michael Chertoff, Secretary of the Department of Homeland Security; Emilio T. Gonzalez, Director of United States Citizenship and Immigration Services

TO: (Name and address of defendant)

Michael Chertoff Secretary of the Department of Homeland Security U.S. Department of Homeland Security Washington, DC 20528

03383



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Richard W. Wieking

CLERK

Case 5:07-cv-03383-PVT Document 4 Filed 07/05/2007 Page 3 of 7

United States District Court

NORTHERN DISTRICT OF CALIFORNIA



Hao Xu

SUMMONS IN A CIVIL CASA/G

CASE NUMBER:

V.

Alberto Gonzales, United States Attorney General, United States Department of Justice:

Michael Chertoff, Secretary of the Department of Homeland Security;
Emilio T. Gonzalez, Director of United States Citizenship and Immigration Services

TO: (Name and address of defendant)

Alberto Gonzales United States Attorney General U.S. Department of Justice 950 Pennsylvania Avenue, NW 07 03383

PVT

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Justin Fok (CSB# 242272) 2107 N. First St., Suite 300 San Jose, CA 95131 Tel: (408) 437-1788 Fax: (408) 437-9788

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

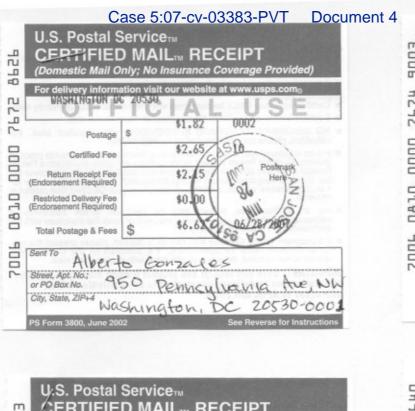
CLERK

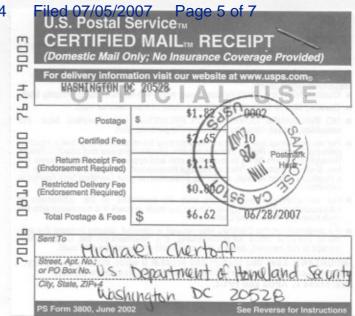
DATE 6/27/1

(BY) DEPUTY/CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹ 6/28/2007		
Name of SERVER Reid Davis	TITLE Law Clerk	
Check one box below to indicate appropriate method of service		
Served Personally upon the Defendant. Place where serve	ved:	
Left copies thereof at the defendant's dwelling house or discretion then residing therein. Name of person with whom the summons and complaint		
Returned unexecuted:		
✓ Other (specify):		
Certified mail with return receipt		
STATEMENT OF SERVICE FEES		
TRAVEL SERVICES	TOTAL	
U.S.P.S.	\$ 33.10	
DECLARATION O	F SERVER	
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct. Executed on 6/28/2007		
Date	Signature of Server Law Offices of Jean D. Chen 2107 N. First Street, Suite 300 San Jose, CA 95131	
	Address of Server	
(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure		







U.S. Postal Service™ CERTIFIED MAIL

MA 무 中 LI П \$1.82 0002 Postage 1000 Certified Fee Return Receipt Fee (Endorsement Required) \$1838 Here Restricted Delivery Fee (Endorsement Required) \$0,00 87 S 06/28/2007 Total Postage & Fees \$ \$6.62 Sent To 2 Emilio T. Gonzalez 425 or PO Box No. street, NW City, State, ZIP+4 washington DC 20536-0003

8657	U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Comestic Mail Only; No Insurance Coverage Provided)	
672	SAN FRANCISC	ICIAL USE
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870	Restricted Delivery Fee (Endorsement Required)	80.00
	Total Postage & Fees	\$ 06/28/2007
7006	Sent To United State Street, Apt. No.: 450 City, State, 21P+4 San PS Form 3800, June 200	Golden Gate Ave. 11th floor francisco, CA, 94102

PROOF OF SERVICE BY MAILING

I am over the age of 18 and not a party to the within action. I am an employee of the Law Offices of Jean D. Chen and my business address is:

2107 N. First St., Suite 300, San Jose CA, 95131

On 6/28/07 I served:

- 1) Summons in a Civil Action;
- 2) Plaintiff's original complaint for writ in the nature of mandamus and declaratory judgment under 28 U.S.C. § 1361;
- Order setting initial case management conference and ADR deadlines; contents
 of joint case management statement; Standing order for civil practice in cases
 assigned for all purposes to Magistrate Judge Patricia V. Trumbull;

on the persons or entities named below, for the case Xu v. Gonzales (C07-03383 PVT), by placing said documents in an envelope, which was then sealed, with postage fully paid and addressed as follows:

Alberto Gonzales United States Attorney General U.S. Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001

Michael Chertoff Secretary of the Department of Homeland Security U.S. Department of Homeland Security Washington, DC 20528

Emilio T. Gonzalez Director U.S. Citizenship and Immigration Services 425 I Street, NW Washington, DC 20536-0003

United States Attorney's Office 450 Golden Gate Avenue 11th Floor San Francisco, CA 94102

Office of the General Counsel U.S. Department of Homeland Security Washington, DC 20528

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6/28/07 Place of mailing: San Jose, California. Date of mailing: _

I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

Executed this 6/28/07 at San Jose, California

Reid M. Davis

Proof of Service: C07-03383 PVT Xu, v. Gonzales, et al.